

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CR-19-403-F
)	
TREVOR TAYLOR,)	
)	
Defendant.)	

ORDER

The court is in receipt of defendant’s *pro se* Verified Motion for Appointment of Counsel (doc. no. 39) filed April 15, 2024. Defendant requests the court to appoint counsel with respect to his *pro se* “Verified’ Motion for Compassionate Release and or Sentence Reduction Pursuant to 18 U.S.C. § 3582” (doc. no. 40), also filed April 15, 2024, and to allow counsel to amend the motion if an amendment is needed.

Upon review, the court **ORDERS** as follows:

To the extent defendant requests the appointment of counsel with respect to his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A), the request is **DENIED**.

“There is no constitutional right to counsel beyond the direct appeal of a criminal conviction[.]” Coronado v. Ward, 517 F.3d 1212, 1218 (10th Cir. 2008), *cert. denied*, 555 U.S. 860 (2008). And no right to counsel extends to a motion seeking compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). *See, United*

States v. Hemmelgarn, 15 F.4th 1027, 1032 (10th Cir. 2021) (no right to counsel to aid in defendant's request for compassionate release).

To the extent defendant requests the appointment of counsel with respect to his motion for reduction of sentence under 18 U.S.C. § 3582(c)(2) based on Amendment 821 of the United States Sentencing Guidelines, the request is **STRICKEN** as **MOOT**.

Under this district's General Order 23-6, the Federal Public Defender for the Western District of Oklahoma has been appointed to represent any defendant previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether that defendant may qualify to seek reduction of sentence and relief pursuant to Amendment 821.

Because defendant was previously represented by the Federal Public Defender in his underlying criminal proceedings, the Federal Public Defender is already appointed to represent him to determine whether he may qualify to seek reduction of sentence and relief pursuant to Amendment 821.

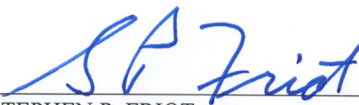
The court **DIRECTS** the court clerk to alert the Federal Public Defender of the filing of defendant's *pro se* motion and to provide the Federal Public Defender with a copy of this order.

The court **DIRECTS** the Federal Public Defender or his designee to file, within 21 days from the date of this order, a written notice stating that defendant is not eligible for a reduction of sentence under 18 U.S.C. § 3582(c)(2) based on Amendment 821 to the United States Sentencing Guidelines, or a supplement to defendant's *pro se* motion to the extent it seeks a reduction of sentence under § 3582(c)(2) based on Amendment 821 to the United States Sentencing Guidelines.

The court **DIRECTS** plaintiff United States of America to file, within 21 days of the filing of the Federal Public Defender's written notice or supplement, a

response to defendant's *pro se* motion (and supplement to defendant's *pro se* motion, if filed).

DATED this 17th day of April, 2024.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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